

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

In re: Pharmaceutical Industry Average Wholesale Price Litigation	)	
	)	MDL No. 1456
	)	C.A. No. 01-12257-PBS
This Document Relates to:	)	
	)	The Honorable Patti B. Saris
<i>Commonwealth of Kentucky v. Warrick</i>	)	
<i>Pharmaceuticals Corp., et al.</i> , E.D. Kentucky,	)	
C.A. No. 3:06-69	)	

COMMONWEALTH OF KENTUCKY'S MOTION FOR  
INCLUSION IN THE FEBRUARY 1, 2007 HEARING  
REGARDING OTHER STATES' MOTIONS TO REMAND

For the reasons set forth in the attached memorandum, the Attorney General of the Commonwealth of Kentucky respectfully requests that it be included in the hearing presently scheduled for February 1, 2007, to consider its fully-briefed and pending motion to remand which was filed in federal court for the Eastern District of Kentucky prior to being transferred to this Court by the Judicial Panel on Multidistrict Litigation. The Commonwealth's remand motion raises issues identical to those presented in the remand motions of Florida, Illinois, and Mississippi, which will be heard on February 1, 2007. Moreover, the same outside counsel represents both Kentucky and Illinois, and will appear at the February 1, 2007 hearing to argue Illinois' remand motion. Judicial economy would be served by hearing Kentucky's remand motion along with those of Florida, Illinois, and Mississippi.

Respectfully submitted,

GREGORY D. STUMBO, Attorney General  
of the Commonwealth of Kentucky

By: /s/ Robert S. Libman  
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CERTIFICATE OF SERVICE

Lisa Mecca Davis certifies that she caused a copy of the foregoing Motion to be served upon all counsel of record, by this Court's electronic-filing system, this 22nd day of January, 2007.

/s/ Lisa Mecca Davis  
Lisa Mecca Davis